

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

PATRICIA PORTER KRYDER,

Plaintiff

v.

**JAMES KEMMLER ROGERS, and
JENIFER ROGERS-ETCHEVERRY,**

Defendants.

No. 1:13-cv-00048

JUDGE HAYNES

JURY DEMAND

*GRANTED
This motion
is DENIED as
a party may
plead inconsistent
claims and defenses
L. J. [Signature]
3-11-14*

**MOTION TO DISMISS COUNTERCLAIM, OR IN THE ALTERNATIVE
MOTION FOR PARTIAL DISMISSAL AND MOTION TO STRIKE**

Comes the Plaintiff, Patricia Porter Kryder, by and through counsel, and pursuant to Fed. R. Civ. P. 12(b)(6) and 12(f) hereby respectfully moves the Court to dismiss Defendant James Kemmler Rogers' Counterclaim in its entirety. In the alternative, Plaintiff respectfully moves the Court to dismiss Counts II-V of the Counterclaim and to Strike the ELEVENTH DEFENSE asserted in Defendants' Answer.

The grounds for this Motion are set forth in Plaintiff's Memorandum of Law, which has been filed contemporaneously herewith.